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Human Rights Conditions in El Salvador

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Following are statements by Elliott Abrams, Assistant Secretary of State for Human Rights and Humanitarian Affairs, before the House Foreign Affairs Committee, July 29, 1982.

OPENING STATEMENT

The people of El Salvador are today engaged in an effort of extraordinary difficulty. They are attempting to complete a thoroughgoing economic reform that has broken the power of the old oligarchy. Simultaneously, they have underway perhaps the most difficult transformation any society faces—the transformation from dictatorship to democracy. And most extraordinary of all, they are trying to do this in the midst of a bloody guerrilla war.

Human rights violations in El Salvador continue at levels that could easily dishearten us. But we cannot allow ourselves to be disheartened, for the situation is improving. We must help El Salvador move forward toward democracy as long as its people are willing to risk their future in this struggle. When one recalls the history of this poor and violent country; when one reflects on the magnitude of the changes underway in the economic and political structure of El Salvador; when one examines the violence caused by the guerrilla war—one must not be disheartened by how far El Salvador has to go to attain full protection of human rights. On the contrary, one must be surprised at how far El Salvador has come in just a few years.

Progress must continue. The foundation for building democracy has been laid, but so much work remains. The progress in the area of human rights is clear, but so many abuses remain. The question for us is whether we will help the Salvadorans in their extraordinary effort to transform their society or leave them to struggle against the enemies of democracy alone. Surely their progress—their freedom—is our goal as well as theirs.

PREPARED STATEMENT

When I last appeared before the Congress to discuss the human rights situation in El Salvador, I mentioned that our annual *Country Reports on Human Rights Practices* documented the good and bad conduct of a beleaguered government, that human rights violations of a very serious nature had occurred, and that innocent civilians have been murdered by forces contesting this most bitter of civil conflicts. I deeply wish that I could state that these violations had ceased, that murder and violence in El Salvador are not common occurrences, and that tremendous progress had been made in restoring peace and prosperity to that unfortunate nation. I cannot make these claims, however. Violations of human rights continue, people are murdered or abducted or otherwise abused by terrorists of rightwing and leftwing groups or common criminals, and, at times, by members of El Salvador's security and military forces.

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The new government, like the previous government of President Duarte, remains under siege. Salvadoran society is gravely ill. The country's judicial system, generally ineffective since the 1970s, now—burdened by threats and intimidation—barely functions. El Salvador's promising industrial plants have reduced their activity, and land lies fallow because the agricultural population fears to work the soil. Concerted attacks by Marxist-Leninist insurgents have destroyed large parts of the country's public utilities and transportation systems. Unemployment and economic distress afflict the Salvadoran people. Two hundred thousand people are internally displaced and survive only through the efforts of the government, which tries, despite great obstacles, to provide for their precarious welfare. Tens of thousands have fled to neighboring countries.

This is an extremely bleak picture, but it is not the complete picture. To understand where things stand today in El Salvador, we must also examine where El Salvador has been and where it is going. Three years ago, El Salvador had a government that came to power through probable fraud, that did not represent the will of the Salvadoran people, and from which the majority of the population was alienated. There is now a government in El Salvador that has come into power as a result of a fair, honest, national election, in which the overwhelming majority of the electorate freely participated. Three years ago, the government of El Salvador served an oligarchy that controlled the vast majority of productive agricultural land as well as the means of finance and credit. Now, almost 20% of El Salvador's arable land has been distributed to its tillers, and the banking system has been nationalized.

While violence has been endemic in El Salvador's history, 2 years ago political killings may have been at an all-time high. Political violence is always difficult to quantify, but a decline seems to have occurred over the past year. During the last 6 months, this trend has continued. As the certification states, a significant number of security force personnel have been disciplined for abuses. Five suspected killers of the four American churchwomen have been officially charged with murder. The case against these individuals continues, and we fully expect they will be brought to trial. Of course, we have not seen all the progress we would like to have seen concerning control of violence, but the signs have been positive. Not only do embassy reports show this trend, but other monitoring groups, regardless of political orientation, show a similar trend.

The National Elections

Moreover, and more importantly, on March 28 the Salvadoran people went to the polls and experienced an historical event unique in their troubled and violent history. They participated in a free and honest election that brought them the government they collectively desired. Almost 1.5 million people voted, probably more than 80% of the eligible electorate.

The people frequently voted under tremendously difficult conditions. The leadership of the Marxist guerrillas decided to conduct a concerted and bloody campaign to prevent the exercise of the popular will. Guerrillas blew up scores of buses during the 2 weeks before the election, sought to prevent distribution of gasoline to the eastern part of the country, and threatened to kill any bus or truck drivers who were so bold as to carry voters to the polls. The guerrillas attacked polling places and the Electoral Commission's headquarters and increased bombings of electrical power installations. Guerrilla radio stations ordered voters to stay home and threatened, through letters, printed propaganda, and wall slogans, to kill or mutilate any voter who exercised his rights on election day. Guerrillas controlled the streets of the departmental capital of Usulutan and prevented voting in that city. Still, despite all obstacles, the Salvadoran people went to the polls in numbers that surprised the experts. Because of guerrilla violence, voters often walked miles to safer polling places or waited in line under fire for the chance to make their choice for El Salvador's future.

This popular reaction constituted a rejection of the guerrilla attempt to prevent the election. Of the 1.5 million Salvadorans who voted, more than 88% cast their ballots for one of the six participating parties. Everyone now knows that the Christian Democratic Party received the largest single percentage—40%—of the vote, with the five parties to its right receiving the collective majority. As a result of agreement between El Salvador's political parties, a Government of National Unity was formed, and the Constituent Assembly chose as provisional president the independent and highly respected banking expert, Alvaro Magana. Three provisional vice presidents, representing the three largest parties, were also chosen. It is President Magana's freely elected government that must now face the threat of violent overthrow by well-armed, externally supported Marxist guerrillas.

The election has been attacked. Given the highly charged political atmosphere in El Salvador and persistent misperceptions about events in that country, criticism was to be expected. Such criticism that has arisen, however, with charges of massive fraud and inflated voting, is entirely unfounded and recognized as such by serious observers of the situation in El Salvador. Jose Napoleon Duarte, who did not retain office as a result of the vote, has stated that these allegations are part of a campaign to denigrate the elections and are false. International observers were invited to monitor the campaign and election. More than 200 observers from more than 40 countries were present and more than 700 journalists served as de facto observers as well. These observers uniformly found that the electoral process was orderly and, except for the guerrilla attacks I mentioned previously, peaceful. While charges of government pressure have been made, Msgr. Rivera y Damas, acting Archbishop, remarked of the voting that, "If there was any pressure, it was not from the government but from those who did not want the elections." While there were technical difficulties, as might have been expected, there was absolutely no indication of fraud. When we would like to see free elections in so many countries that do not have them, it is unfortunate to see the first free election denigrated or minimized for political reasons.

The results of the election are significant in many ways. They show that the vast majority of the Salvadoran people desperately want peace and reject the violent alternatives offered by the Marxist-Leninist insurgents. The election also shows that the Salvadoran people have taken the first step to integrate themselves into a political system in which they have not previously had a chance to participate significantly. The results of the election indicate that the vast majority of the Salvadoran people believe that an elected government offers the best possible hope for greater respect for basic human rights.

U.S. Support for Human Rights

Respect for human rights has been at the core of our policy toward El Salvador for some time, and intensely so during the past 6 months. Our concerns for human rights have been repeatedly stressed to Salvadoran officials, both military and civilian. Our policy toward El Salvador has been formulated in such a way as to seek tangible, positive changes in human rights practices in El

Salvador. We are working for meaningful structural changes, not simply cosmetic rearrangement or resolution of individual cases. Respect for human rights and proper conduct toward the civilian population has been a principal part of our training of Salvadoran military personnel. Salvadoran leaders have been receptive to our concerns and agree with our basic objectives.

One can justifiably ask why progress has been so slow, and why things have not more markedly improved in El Salvador over the last 6 months, if a major power like the United States has brought all its efforts to bear, and if the leadership of El Salvador has been so receptive to our concerns. I believe I was able to discover the answer during my recent trip to that country. I am frankly surprised, after my visit, not that progress has been so slow, but that the Salvadorans have moved as far as they have.

Obstacles to Improvement

El Salvador is desperately poor. The gross national product has declined by at least 25% in the last 2 years, due to the insurgency. Population growth is 3.5% per year in an already overpopulated land. There is no way of financing any number of necessary projects. Land reform is resisted, in part because owners have not received compensation for their losses. Statistical information is unreliable or unavailable. Road travel is extremely hazardous. The judicial system, never strong, has broken down. Judges and legal officials are regularly intimidated. Very few of us would have the courage to stand up to the threats that have been made against the safety of judicial officials and their families.

Communications within the country are extremely poor. A typical National Guard post, for example, consists of 10–15 men, under the command of a poorly educated corporal or subsergeant, stationed in a village somewhere in rural El Salvador. There is no telephone communication with national headquarters, sometimes no radio contact with even the commander of the department in which they are stationed. If their noncommissioned officer (NONCOM) is conscientious, they will patrol on foot, with no support from any other unit, and beyond any kind of control or regulation except that of their unit leader. If the NONCOM is a decent man, perhaps his men will enjoy good relations with the people of the area they patrol. But in an atmosphere of guerrilla threats and violence, abuses occur. Adequate means of redress for the victims are virtually nonexistent, since the unit is effectively a power unto itself. This is the kind of situation we are trying to change on the government side.

There has been no tradition of taking prisoners during the fighting in El Salvador. The government has several hundred prisoners captured off the battlefield and the guerrillas have about 40. Both sides have killed opposing combatants and quarter is rarely given or expected. As might be expected, the prisoner issue remains one of our most important areas of concern on the government side.

All in all, given El Salvador's violent tradition and bitter internal divisions, conditions for seeking human rights improvements could hardly be worse.

The Human Rights Outlook

Accordingly, the struggle to achieve progress in El Salvador's human rights situation has been an uphill one for both the previous government and the current administration under President Magana, which is definitely committed to respect human rights. Progress has been measured in inches, not miles; and more importantly, in the lives and physical integrity of individuals who, in the past, would have suffered but for the decision by responsible Salvadoran officials to work for a change in the way the security and military forces treat the civilian population. We have seen no similar effort on the part of the guerrillas.

I must return to one of the points I made when I testified before the Congress last winter: How can the United States effectively work for lasting improvements in respect to democracy, human rights, and reform in El Salvador? Were the Congress to terminate our security assistance to this beleaguered government, we would greatly reduce our ability to work to restrain those narrow and often brutal elements who want to see not even a return to the status quo ante, but further retrogression into repression and violence. A vacuum left by our termination of security assistance would lead to acceleration of the insurgency and consequent violent backlash. It is certainly possible that after such a prolonged bloodbath, those forces that want to impose a totalitarian, Marxist-Leninist system would, after further struggle, take power. Let us make no mistake about the nature of the insurgents in El Salvador. They are as violent a group of men and women as any we have seen in the Western Hemisphere. It is bad enough that they see as their means to victory the destruction of factories, power systems, bridges, roads, and buses—that is, the creation of economic hardship for the people of El Salvador. It is worse that they destroy lives, nurturing violence and assassinating those who would oppose them. Their hostility to the efforts of the people of El Salvador to exercise their right to vote is a matter of record.

The leaders of the FMLN [Farabundo Marti National Liberation Front] do not offer a viable alternative in El Salvador. Their assumption of power by force in El Salvador would only lead to dictatorship and increased misery and death. The vast majority of the Salvadoran people reject this possibility. What they have now is a government freely elected, committed to democratic reform, including further free elections, and attempting, under incredible provocations, to make significant improvements in the human rights situation in their country. President Magana has stated that the goals of his government are pacification, democratization, restoration of confidence and security, economic recuperation, and respect for human rights. In the midst of a cruel civil conflict and within a short time span since the elections, he has moved his government in those directions.

On April 15, 1982, I visited Fort Benning to observe the training of Salvadoran Army cadets, young men who now are fighting and dying for their country's freedom. We had undertaken to train almost 500 of these cadets for an army that is critically short of trained officers. The number of trainees was almost 10 times the number of men who would graduate from El Salvador's military academy this year. They were young, bright, eager, and receptive to their American instructors' emphasis on the need to respect and protect the civilian population—as their brothers in arms had done over 2 weeks earlier, defending the voters and the electoral process against insurgent attacks. We hope they will have a tremendously positive impact on their army's performance, not only in battle, but also in their response to the needs of the civilian population. If we refuse in the future to undertake such efforts, we will be committing a blunder of immense proportions. We must assist the Government of El Salvador to continue those steps it has taken to broaden popular support and eliminate abuses. If we do not, we will not only imperil our own national security over the long term, but we will help to condemn the Salvadoran people to a nightmare more frightening than the one they are now experiencing—and from which it will be hard to awake.

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I said at the outset of this statement that to understand where El Salvador is today, we must consider where it has been and where it is going. I think that, thanks in large part to the beginning made by the March 28 elections, El Salvador is moving ahead toward a democratic system of accountable government, which will create the conditions necessary for increasing respect for human rights, including free elections, a functioning judiciary, due process, improved discipline, and greater professionalism in the military. These efforts are supported by the Salvadoran Armed Forces, who are playing a very constructive role in encouraging and protecting a very new democratic system. Democracy is the central issue in El Salvador. Its strengthening will lead to a further reduction of human rights violations. The current government in El Salvador must be given the opportunity to complete what it has begun. ■

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